

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**IN RE: BLUE CROSS BLUE SHIELD  
ANTITRUST LITIGATION  
(MDL No.: 2406)**

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**Master File No.:2:13-CV-20000-RDP**

**This document relates to Subscriber cases.**

**SUBSCRIBER PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT  
ON THE APPLICATION OF THE *PER SE* RULE**

Subscriber Plaintiffs hereby move, pursuant to Federal Rule of Civil Procedure 56, that this Court should hold that the restrictions on competition agreed to by the Member Plans are subject to a rule of *per se* illegality. In support of this Motion, Subscriber Plaintiffs rely on the simultaneously filed “Memorandum of Points and Authorities in Support of Subscriber Plaintiffs’ Motion for Partial Summary Judgment on the Application of the *Per Se* Rule,” including the supporting exhibits attached thereto.

Dated: July 17, 2017

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 17th day of July, 2017, I electronically filed the foregoing with the Clerk of Court using the CM/ECF filing system, which will send a copy to all counsel of record.

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